

From: ["Zach Welcker" <ZWelcker@kalispeltribe.com>](mailto:ZWelcker@kalispeltribe.com)
To: ["Khatibi, Mehrdad" <khatibi.mehrdad@epa.gov>](mailto:khatibi.mehrdad@epa.gov)
Date: 7/13/2017 10:40:04 AM
Subject: Supp Info 2

More

Comment on Class 1 air quality designation.

April 4, 2017

(b) (6)

I am concerned that the proposed designation will stifle existing business and scare away any new business that may want to locate here.

I have read the Technical report and find it to be very vague with very little local data to back up some of the assumptions. The table of emission sources seems to cover all human activity from wood stoves, road dust, motorboats, all the way to commercial aircraft flying miles above the area.

The economic impact report encompasses Spokane, Stevens and Pend Oreille counties as the economic analysis area. It is true that these three counties are interrelated but to say that Pend Oreille County has a vibrant economy because the statistics of the area look good is not reality. Pend Oreille County has a population of 13,000, Stevens 43,500, while Spokane County is near one-half million with thousands of health care, education and retail jobs. Our rural county is traditionally more resource jobs that support our limited services.

Due to the fact that over 60% of the county is either Federal, State or Tribal land, thus un-taxable, we have a very limited tax base from which to draw funds to provide services to all county residents. To put constraints on any economic development, above those already in place, in the name of adding special status to a reservation with a population of about 1% of the total county population, is not acceptable.

To compare the potential benefits of a Class 1 area here to our National Parks, is not a responsible comparison.

The use of the Kalispel Tribe's sovereign status is contrary to the concept of a UNITED STATES.

Please register my opposition to the Class 1 air quality designation of the Kalispel reservation application.

Sincerely,

(b) (6)

10/11/2018

(b) (6)

04.07.17

To: KalispelTribe

P.O.Box 39

Usk, WA 99180-0039

Re: EPACleanAirRedesignationClassIItoClassIComments

My comments about the Kalispel Tribe of Indians reservation at Usk, WA, redesignating to a Class I Clean Air entity:

1. My name is (b) (6) I live (b) (6) from the Kalispel Tribe's headquarters. My family has enjoyed (b) (6) (b) (6). By (b) (6) years of age. I have difficulty breathing, especially when my neighbors are producing smoke and pollutants. We sit in a flood plain valley where foggy weather inversions and stagnant air frequently welcomes us to each new day, in a rural setting. What wind we have usually blows in from the direction of a 40 year old paper newsprint mill in Usk, WA, with a South South Westerly wind.
2. Past air pollution at my home from (b) (6) came from fires, slash, wood, leaves, trash burning and autos. With the paper mill, came sometimes stinky pollutants at night, but today's air pollution here is still from smoke.
3. My state, county and town government officials are pushing hard for more tax revenues related to increased jobs and property values, planning commercial and industrial developments immediately (b) (6) of me. I resist most of those efforts and deeply respect the traditional rural culture and lifestyle, along with the expertise in the protection of these traditions by the Kalispel Tribe.
4. Although a sovereign nation, the Kalispel reservation's activities have culturally and economically benefited the surrounding agricultural and recreational community tremendously. Their vision has been spot-on.

Respectfully,

(b) (6)

Public Comments Re-Designation Tribal Lands
April 11, 2017

From (b) (6)

(b) (6)

(b) (6)

Thank you for welcoming community to a public hearing held at the Camas Center April 10.

As I understand it, in a pro-active move to secure some measure of control over future air and water quality for the Pend Oreille River Valley, the Tribe is seeking to upgrade the standard permitted for air and water quality such that 'some' pollution comes our way, but not so much as was on the menu before the upgrade. The net result of the change will be 1/10th the degradation that would have been ours without the re-classification. There will still be a decline in air and water quality, but the amount of degradation won't be as great under Class 1.

In my cursory look at the issue, it seems the actual yardstick of how much is too much pollution isn't just arbitrary, but is scientifically measurable, correlating with health risks from drinking water and breathing the air in places with contamination. My understanding is that children are most impacted by pollutants, not just because they're in the process of growing, but also because they're lower to the ground, are more apt to have contact by touching, and because they spend more time outdoors.

I learned that contaminants from years gone by are already impacting how many fish we should eat from the river and some lakes, and that abiding by such restrictions on consumption is particularly important for pregnant women and children. The contemplated change from Class II to Class 1 would endeavor to prevent that kind of risk from being repeated, or from worsening.

I understand that there are places in our nation where it's not safe to drink water from faucets, and where a garden is no longer able to provide produce safe to eat. There are places in the US where contamination falls down like rain upon the soils, people, pets, wildlife and open waters. In those places, residents become prisoners in their homes, school yards are empty of children for fear of health risks. Residents who once gardened to live within their means must buy lesser quality groceries at greater costs.

These strike me as real world risks affecting the ability to live in rural lands, to farm, to graze animals, even affecting how much time can be spent outdoors.

The Kalispel Tribe is sparing us such a fate.

Thank you for steward this valley. We support your efforts to re-designate to Class 1.

Respectfully,

(b) (6)

I would like to provide you with my point of view regarding the proposed redesignation from Class 2 to Class 1 air quality categories. Although we should constantly strive to improve the condition of our entire environment, I feel this change imposes restrictions reaching far beyond the simple discharge limits of present facilities and resources. Regardless of where you draw boundary lines, this is a Federal Standard, to be upheld. If limits (present or proposed) are exceeded, steps would be absolutely mandated to correct the situation. Just one example: Let's say Ponderay Newsprint decided to put in a Co-Gen Plant, so they could generate electricity, rather than drawing on Hydroelectric power at their present rate. More water then becomes available, to flush and support our continued efforts to improve Salmon movements and habitat. But wait...Co-Gen, as studies show, creates air discharges. Sorry, no Co-Gen for Ponderay Newsprint. Instead of looking at the big picture, we choose tunnel vision and come up with untenable solutions. (Like...yes, you can have Co-Gen, but you have to shut down half of your production, so as not to exceed present discharges). So who "won" there?

Your latest fact sheet, addressing many public concerns, also reiterates that existing practices are "Grandfathered", with present levels of SO₂, NO_x, Particulates, etc. being acceptable. However, as a Federal Standard and classification, if particulate matter exceeds Class 1 margins, required steps are mandated, and cannot be shoved aside. Without digressing into the whole original study that looks into a very large region, (Most of which it also states doesn't apply to our unique geographic area), the bottom line is that accurate measurement of air quality in a Class 1 area dictates everything that has effect on that designated area. So, it would be virtually impossible to ignore any factors that would take the Class 1 area out of compliance. By Law, steps would be required, to bring all discharges back down, to stringent Class 1 levels. These specific steps would not be dictated by the Federal Government, unless we did not come back into compliance to the Class 1 Standards. Initially, it would be US who decides what activities to limit or shut down. Would that be Logging? Travelling dirt roads? Shutting down 200+ local jobs, and the tax base they pump up? Restricting vehicle travel, or setting up emission testing? Etc.

It would be in our hands, to try to achieve the new, much more restrictive standards. Are we choosing to ignore the releases of Hanford radioactivity into our air and water? Some of that has a half-life of 250,000 years! Bottom line for me: I feel that our present Class **2** designation is restrictive enough to support quality of life in Pend Oreille County. Once again, I recognize any efforts to improve our habitat. I also think that the present systems within that classification allows accommodations for growth, a supportive tax base, employment, as well as leeway for adapting what we do to improve present air quality. Stepping into a much more restrictive designation disallows the freedom to weigh what we choose to do, and also relinquishes our ability to govern our very unique geographic region. Thank you. (b) (6)

(b) (6)

4-10-17

Kalispel Tribal Land Re-Designation to Class 1

Public Comment of (b) (6)

April 11, 2017

I'm writing today to lend support for the proposed re-designation of Tribal Land from Class II to Class I but I'd also like to address the citizen concerns voiced at the public hearing of 4/10 at the Camas Center.

Because the re-designation increases the footprint of oversight on areas outside the Tribal boundaries, and because any fixed source of pollution outside Tribal land that might have been allowed under Class II will not necessarily be allowed under Class I, there is concern in population that prospective employers might be put-off and take their business elsewhere.

As I understand what I heard last night, to site a business in relative proximity to the Kalispel Tribal land, any potential business would be required to better-control (under Class 1) that fixed plants' emissions.

So if such a business produces pollution, the Class 1 designation would require the business exert more control over any harm to the air or water.

I'm fine with that.

The human toll of finding employment in or near Pend Oreille County should not cost citizens their health and should not compromise anyone's ability to enjoy a rural lifestyle, to hunt, fish, farm and raise their families in a safe environment.

Employers we'd welcome to operate nearby wouldn't ask we sacrifice clean air or water. The employers we would want would be good neighbors, partners in protecting natural resources.

(b) (6)



Ponderay Newsprint Company

422767 SR 20, Usk, WA 99180-9771
(509) 445-1511, FAX: (509) 445-1233

EQS0417_145

April 4, 2017

Mr. Deane Osterman
Executive Director, Kalispel Natural Resources
Attention: Air Quality Comments
P.O. Box 39
Usk, WA 99180-0039

**RE: Kalispel Indian Reservation Prevention of Significant Deterioration Program
Class I Redesignation Proposal**

Dear Mr. Osterman:

Ponderay Newsprint Company (PNC) appreciates the opportunity to comment on the Kalispel Tribe's proposal to redesignate the Kalispel Reservation as a Class I area under the Clean Air Act Prevention of Significant Deterioration program. PNC has always been, and continues to be, committed to protection of our air quality.

However, we do have concern over the impacts that would result from a Class I designation of the Kalispel Indian Reservation. PNC believes that this redesignation could limit our ability to modernize operations at the mill and make manufacturing improvements, as well as limit the ability to attract other businesses to locate in Pend Oreille County. PNC urges the Tribe to consider these factors that the redesignation could have on PNC and the local community.

In addition, it is important to recognize that the PSD program is a technically complex and resource intensive regulatory scheme. Using the PSD program to protect tribal air quality would require a significant investment of tribal resources in consulting services and interaction with state and federal regulatory agencies. If the Reservation becomes a Class I area many interest groups other than the Tribe will acquire the ability to enforce the requirements of the program.

PNC believes that redesignation may not be necessary to achieve the Tribe's goals and would welcome the opportunity to meet with the Tribe to discuss optional means to achieve the Tribe's air quality protection goals without stifling growth in the region. If the Tribe is interested in pursuing this discussion please contact our environmental manager Laura Verity at 509-445-2304.

Sincerely,



Myron Johnson
Ponderay Newsprint General Manager

Cc: Maia Bellon, Washington Department of Ecology, Director
Grant Pfeifer, Washington Department of Ecology, Eastern Region Office, Director
Karen Skogg, Pend Oreille County Commissioner, Board Chair
Steve Kiss, Pend Oreille County Commissioner
Mike Manus, Pend Oreille County Commissioner
Greg Snow, Pend Oreille County Director of Community Development
Gregg Dohrn, Pend Oreille County Community Development Consultant
Rhonda Cary, Pend Oreille County Clerk of the Board

Mark Brown
General Manager
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April 6, 2017

Kalispel Tribe of Indians
Attn: Air Quality Comments
PO Box 39
Usk, WA 99180-0039

Re: Redesignation of Kalispel Indian Reservation to a Class 1 under the Clean Air Act's Prevention of Significant Deterioration Program

To Whom it May Concern,

I am pleased to be invited to provide comment on the literature provided: "Kalispell Indian Reservation Prevention of Significant Deterioration Program – Class 1 Redesignation Technical Report by Ridolfi Environmental, February 2017."

First of all, the benefits of clean air and management of major emission sources have touched and inarguably improved our lives since the Act was promulgated in 1977.

With respect to the Technical Report, I have three primary questions or concerns.

1. The area that is being considered for redesignation is not clearly spelled out. While I believe that the area being considered for redesignation is exclusively the area outlined in red on Figure 1 of the Report, the inclusion of "off reservation land" and "adjudicated lands" on the figure reduce the clarity of this redesignation zone. Given the geographic and proximal requirements of dispersion modelling, the exact boundaries of the area proposed for redesignation should be stated and shown clearly.
2. In the Power Consulting Incorporated report "Economic Impact of Redesignation of the Kalispel Indian Reservation as a Class 1 Area under the Clean Air Act's Prevention of Significant Deterioration Program", dated February 3, 2017, Figure 3 and Figure 17 show concentric circles up to 50 km from the reservation redesignation area. It is understood that PSD increment analysis is mandatory for all potential large projects (emitting more than 100 tons per year of criteria pollutants) within 100 km of the Class 1 area and is discretionary for those between 100 km and 300 km. The economic analysis and other considerations in both this and the Ridolfi report should provide a more thorough analysis of the impacts of seasonal wind direction and explicitly include the area out 100 km, and possibly further, from the proposed redesignation area. The actual area of potential impact from the proposed redesignation would extend into population centers of north

Idaho (Coeur d'Alene, Post Falls), Lincoln County, Ferry County, and possibly further. . It should be noted that the Ridolfi Report shows the 100 km boundary on Figure 15.

3. While we are encouraged that the findings of the studies suggest that redesignation is unlikely to limit economic development, we request that the public comment period be extended for 60 additional days to allow more time for agencies and businesses to predict potential economic impact. For example, there might be private business entities preparing permitting packages that have not yet contacted permitting agencies. Similarly, there might be business entities within 100 km of the redesignation area that are planning to expand their facilities, and would need additional time to evaluate potential emission increment increases and the resulting technology cost to meet PSD rules.

I appreciate the opportunity to provide these comments, and hope this commentary is seen as constructive. Should you have any questions please feel free to contact me at 509-446-4516.

Sincerely,



Mark J Brown
General Manager
Pend Oreille Operations

Pend Oreille County



Board of Commissioners

Karen Skoog
District #1

Mike Manus
District #2

Stephen Kiss
District # 3

Rhonda Cary
Clerk of the Board

Phone: 509-447-4119

FAX: 509 447-0595

E-mail: commissionersoffice@pendoreille.org

PO Box 5025

Newport, WA 99156-5025

April 7, 2017

Kalispel Tribe of Indians
Attn: Air Quality Comments
PO Box 39
Usk, WA 99180-0039

RE: Class I Redesignation Request

Dear Chairman Nenema:

Thank you for sending us a copy of the Technical Report prepared in support of a potential application by the Tribe to have your Reservation designated as a Class I area in accordance with the provisions of the Clean Air Act. Pend Oreille County shares your interest in protecting the environment, including the quality of our air, and we are pleased to note in the report that we currently enjoy excellent air quality. We look forward to working with the Tribe in the future to continue our successful efforts. As a result, we are formally requesting a government to government consultation with the Tribe and the Washington State Department of Ecology (ECY) before you submit your redesignation request to the Environmental Protection Agency (EPA). While we have learned a lot in the short time since we were informed of your plans, we still have many questions, and we would like to meet in order to better understand your proposal and how it would be implemented. Given the Department of Ecology's shared interest in maintaining our air quality and their role in permitting future development proposals, we would hope that you would invite them to join in our discussions.

In preparation for our meeting, we have organized our questions and comments regarding the Technical Report into the following categories:

1. Socioeconomic Analysis
2. Air Quality Standards
3. Impacts on Existing Businesses and Operations
4. Implementation

Socioeconomic Analysis

In addition to the environmental health of our community, as elected leaders of all residents in the county, we are also extremely concerned about the economic health of our community. As a county government, we do not have the ability to acquire land or sponsor economic development projects in the Spokane urban area, and as result, we must rely on private investment in our county to generate the tax revenues necessary to maintain essential public services. Unfortunately, the Technical Report fails to address the perilous economic situation that the County faces. Simply stated, the current expense budget of Pend Oreille County is \$10,011,382 dollars a year, and our annual revenues are closer to \$9 million a year. Over the past four years the County's operating expenses have increased by over thirty percent and our tax revenues have increased by 2.05 percent. This is clearly not a sustainable situation and the County must actively attract new private investment if we are to sustain basic services.

In addition, we are concerned about the impression that the report included in Appendix B to the Technical Study, *The Economic Impact of Redesignation of the Kalispel Indian Reservation as a Class I Area under the Clean Air Act's Prevention of Significant Deterioration Program* (Power, 2017), gives the reader about the economic health of our community. Analyzing the economic impacts through the lens of a three county "Kalispel Reservation Economic Area" does not provide a clear picture of the economic conditions of Pend Oreille County. Spokane County, with nearly a half a million people and major urban center, is 37 times larger than Pend Oreille County, and as a result, the statistics from Spokane County completely dominate the picture when included with statistics from Pend Oreille County. Pend Oreille County is in fact one of the most economically distressed areas in the state with one of the highest unemployment rates and one of the lowest per capita income levels. Unfortunately, we have not experienced "significant economic vitality over the past 45 years" and real incomes in Pend Oreille County have not increased three-fold, jobs have not doubled, and the population has not increased by 80% as described in the Technical Report. In addition, it is important to note that the net labor earnings in 2014 of almost \$12.3 billion dollars, the investment income of \$4 billion, and the transfer payments of \$5 billion dollars that were cited in the report have nothing to do with Pend Oreille County. Furthermore, the assertion in the report that residents of Pend Oreille County can simply commute to Spokane County to work misses an important point, the concentration of jobs in Spokane County only exacerbates regional economic inequities, as it leads to a concentration of tax generating activities in Spokane County and a concentration of a public service demands in Pend Oreille County without the tax base to support it.

We respectfully request that an addendum to the report be added to the Tribe's application that specifically documents the economic conditions in Pend Oreille County, including the loss of timber jobs and the decline of the economic base of our community. We can provide more specific examples of how the Technical Report might give a reader a misimpression of the conditions in Pend Oreille County, and we'd welcome the opportunity to collaborate with the Tribe in preparing an appropriate addendum. Given that Tribal Vice Chair Ray Pierre is the Pend Oreille County Economic Development Council (EDC) Chair, another approach might be for the EDC to prepare the addendum for inclusion in the Tribe's application. Either way, the following link is an excellent source of information specifically about Pend Oreille County and the economic challenges that we face:

<https://esd.wa.gov/labormarketinfo/county-profiles/pend-oreille>

Air Quality Analysis

Air quality regulations are complex and can be very difficult to understand. While the Technical Report contains a lot of information, in order for us to fully assess the air quality benefits and impacts associated with the effects of a potential Class I redesignation, we respectfully request that the Technical Report be revised or an addendum prepared and included in the Tribe's application that addresses the following:

- The Technical Report does not assess the availability of potential Class I or current Class II increments in the region. How much of the current Class II increment has been used? If the Class I redesignation is approved, how much of the Class I increment has been used or has it already been consumed? Without an understanding of the baseline conditions (before a potential Class I redesignation), it is impossible to determine what impact the Class I redesignation may have on existing facilities or future development proposals.
- The US National Ambient Air Quality Standards (NAAQS) are standards established by the United States Environmental Protection Agency under authority of the Clean Air Act (42 U.S.C. 7401 et seq.) that apply for outdoor air throughout the country. The primary standards are designed to protect human health, with an adequate margin of safety, including sensitive populations such as children, the elderly, and individuals suffering from respiratory diseases. The technical report does not compare the available monitoring data for PM_{2.5} to the NAAQS. We request the report compare the current concentrations, future potential concentrations under the current Class II designation, and future potential concentrations under the proposed Class I redesignation to the applicable NAAQS.

- The report contains an evaluation of two hypothetical energy developments proposed for Deer Park, over 50 km away from the Reservation. A few examples of the same hypothetical energy developments located in Pend Oreille County would also be relevant and insightful and would not be overly burdensome to complete.
- The technical report does not quantitatively assess the effect Class I redesignation would have on the ability of a future development project to obtain the necessary air permits. It would be helpful to know where in Pend Oreille new development would least likely to exceed the Class I increments and where new development would be more likely to result in the Class I increments being exceeded. Screening-level, or refined, dispersion modeling of a few generic development projects in different locations/distances could help provide information on Class I increment consumption.

Impacts on Existing Businesses and Operations

We are particularly concerned about the impacts that the redesignation could have on existing businesses in the County, especially on new investment to modernize their facilities and to expand their operations. We are pleased to read in the Frequently Asked Questions document provided by the Tribe that the redesignation will have no effect on Ponderay Newsprint's current operations. It appears however, that the complexity of the regulations could create opportunities for unintended adverse consequences. We are also concerned about the implementation of the Class I requirements and potential impacts on the County's practice of using sand to maintain safe roads in the winter, the possible closure of unpaved roads to County residents, and restrictions on prescribed burning or other management practices intended to promote the health of our forests.

We respectfully request that the Technical Report be revised or amended to more clearly address:

- Plans to provide regulatory clarity and long-term certainty to heavily capitalized industries that form the economic foundation of the county such as Ponderay Newsprint and Vaagen Brothers.
- Documentation confirming that the Class I requirements will not adversely affect the operations of the Teck Mine in Metaline Falls.
- Whether the Class I redesignation has any direct impact on permits issued to minor sources or for minor modifications to existing major PSD sources?

Implementation

The proposed redesignation of the Reservation as a Class I Area will affect multiple governments, agencies, businesses, and other stakeholders. We believe a more detailed and comprehensive set of plans are needed in order for us to successfully implement and incorporate a new Class I Area. Clean air is a goal we share with the Tribe, but without more details on the proposed implementation, we are concerned that the potential negative effects of redesignation will overwhelm the potential positive effects.

We respectfully request that the Technical Report be revised or amended to more clearly address:

- Implementation: The Technical Report does not discuss how the Tribe will implement the Class I redesignation. Will Class I redesignation be through a Federal Implementation Plan (FIP) administered by the EPA or a Tribal Implementation Plan (TIP)? If Class I redesignation is through a FIP, how will that effect the administration of the Class I area and resolution of potential disagreements?
- Class I Boundary: The Technical Report contains maps of the Reservation and proposed Class I Area. It would be helpful if the Tribe would provide a more detailed map that clearly identifies of all lands that are, and are not, being proposed for Class I status. This would help reduce any uncertainty regarding which lands are proposed for Class I status.

- Coordination with Department of Ecology: The Technical Report does not include any discussions of how the Tribe would work with the Department of Ecology to implement Class I for the Reservation. Department of Ecology is responsible for implementing the Prevention of Significant Deterioration (PSD) program in Washington, of which Class I areas are a significant part. We believe it would be helpful for the Department of Ecology and the Tribe to define and outline in a collaborative manner the roles, responsibilities, process, guidance, and timelines necessary to implement, and assess impacts to, the new Class I Area. Otherwise, there could be significant delays and complications associated with issuing air permits.
- Tribal Resources and Expertise: The Kalispel Natural Resources Department (KNRD) is responsible for historic properties, fisheries, wildlife, water, and other natural resources. The KNRD has a very talented and dedicated staff. However, having Class I status for the Reservation will mean extra responsibilities and time commitments. We would like to have a better understanding of how the Tribe intends to meet these new responsibilities so we can determine how best to coordinate future permitting activities.
- Air Quality Related Values (AQRVs): The Tribe's Technical Report does not include a discussion of AQRVs and our conversations with the Department of Ecology indicate the Tribe does not intend to adopt AQRVs or develop Threshold Effect Levels (TELs) at this time. By not including a discussion of AQRVs or a statement that the Tribe does not intend to adopt AQRVs in the Technical Report, it creates a tremendous amount of uncertainty for existing and future potential facilities as well as permitting agencies. Inadequate implementation of Class I requirements, delayed permitting processes, and unclear compliance requirements are just some of the potential results of the AQRV uncertainty. We suggest that the Tribe's proposed redesignation submittal to EPA contains a statement that the Tribe does not intend to adopt AQRVs in the future or that the AQRVs are identified (and TELs defined) in the submittal. Otherwise, we request the Tribe describe a specific process, including proposed timelines, a process to ensure public and stakeholder input, and methods of dispute resolution for the establishment of future AQRVs (and TELs) in the EPA submittal

In closing, we would like to emphasize our intentions of meeting in good faith with the Tribe and in the ensuing government to government discussions of how best to achieve our mutual interests. We would also like to discuss with the Tribe strategies for making sure that residents and local governments that may be affected by the redesignation, have an opportunity to more fully understand and comment on the proposal. Please feel free to contact Commissioner Mike Manus at 509-671-1434 or our planning consultant Gregg Dohrn at greggdohrn@comcast.net or 206-679-7507 if you have any questions or to set up our meeting.

Sincerely,

PEND OREILLE COUNTY
BOARD OF COMMISSIONERS


Karen Skoog, Chair - *approved via email message*


Stephen Kiss, Vice-Chair - *approved telephonically*


Mike Manus, Commissioner